

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

MATTHEW VICKERS

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CRIMINAL NO.

VIOLATIONS:

21 U.S.C. § 841(a)(1) -

Possession of a Controlled

Substance With Intent to

Distribute

04 CR 10027 PBS

FIRST SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 841(a)(1) - Possession with Intent
to Distribute Cocaine)

The Grand Jury charges that:

On or about May 14, 2001, at Boston, in the District of
Massachusetts,

MATTHEW VICKERS,

the defendant herein, did knowingly and intentionally possess
with intent to distribute cocaine, a Schedule II controlled
substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT TWO: (21 U.S.C. § 841(a)(1) - Possession with Intent
 to Distribute Cocaine Base)

The Grand Jury further charges that:

On or about October 19, 2003, at Boston, in the District of
Massachusetts,

MATTHEW VICKERS,

the defendant herein, did knowingly and intentionally possess
with intent to distribute more than five grams of cocaine base, a
Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

Supplemental Factual Allegations

The Grand Jury further finds that:

1. The offense charged in Count One involved at least 50 grams but less than 100 grams of cocaine. Accordingly, U.S.S.G. §2D1.1(c)(12) applies to this case.

2. The offense charged in Count Two involved at least 5 grams but less than 20 grams of cocaine base. Accordingly, U.S.S.G. §2D1.1(c)(7) applies to this case.

COUNT THREE: (Title 21, United States Code, Section 851 --
Notice of Prior Conviction)

The United States Attorney charges that:

1. On or about January 7, 1999, **MATTHEW VICKERS** was convicted in the Dorchester District Court in Dorchester, Massachusetts for distribution of a Class B controlled substance (to wit: cocaine) in violation of Mass. Gen. L. c. 94C, §32E.

2. **MATTHEW VICKERS** has been named as a defendant in the within Indictment, which charges **MATTHEW VICKERS**, inter alia, with one count of possession with intent to distribute more than five grams of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1).

3. By way of this information, the government notifies **MATTHEW VICKERS** that he is charged with committing the said crime after having been previously convicted of the felony drug offense as set out in paragraph 1 above.

All in keeping with Title 21, United States Code, Section 851(a)(1).

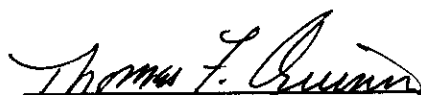
A TRUE BILL


FOREPERSON OF THE GRAND JURY


ROBERT E. RICHARDSON
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; 9-10th, 2004

Returned into the District Court by Grand Jurors and filed.


DEPUTY CLERK
12:10 pm.

JS 45 (5/97) - (Revised USAO MA 3/25/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency ATFCity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. X Case No. 04-10027-PBS
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Matthew Vickers Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date: **/**/78 SS#: ***-**-9764 Sex: M Race: B Nationality: U.S.Defense Counsel if known: Timothy Watkins Address: Federal Defender's Office

Bar Number: _____

U.S. Attorney Information:AUSA Robert E. Richardson Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested☐ Regular Process☒ In Custody

Location Status:

Arrest Date: _____

☒ Already in Federal Custody as pretrial detainee in custody of U.S. Marshal☐ Already in State Custody _____ ☐ Serving Sentence ☒ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 9/15/04 Signature of AUSA: [Signature]

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Matthew Vickers

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 841(a)(1)</u>	<u>Possession Cocaine With Intent to Distribute</u>	<u>1</u>
Set 2	<u>21 U.S.C. § 841(a)(1)</u>	<u>Possession Cocaine Base With Intent to Distribute</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____